



# Department of Justice

United States Attorney McGregor W. Scott  
Eastern District of California

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## **MERCED AUDIOLOGIST GUILTY OF MAIL FRAUD AND HEALTH CARE FRAUD** *Jury Returns Guilty Verdict on All Counts*

FRESNO, Calif.—United States Attorney McGregor W. Scott announced today that ADAM JOHN SORTINI, 87, of Merced, Calif. was convicted yesterday of 17 counts of mail fraud and one count of health care fraud stemming from his illegal billing of the federal Medicare program for audiology tests he contended were performed by him at skilled nursing facilities throughout Northern California. The guilty verdict was returned on all counts by a federal jury in Fresno after a 15-day trial before United States District Judge Oliver W. Wanger.

This case is the product of an extensive investigation by the Federal Bureau of Investigation and the United States Department of Health and Human Services, Office of Inspector General.

According to Assistant United States Attorneys Stanley A. Boone and Kirk E. Sherriff, who prosecuted the case, the evidence introduced at trial showed that SORTINI visited skilled nursing facilities throughout Northern California and billed for hearing tests that were not reimbursable by Medicare because they were routine in nature and were performed without a referring physician's order. He also did not perform all of the tests for which he billed Medicare, and when he was audited by Medicare, he submitted forged physician referrals to justify his Medicare billings. SORTINI billed Medicare for unwarranted and unnecessary hearing tests, including tests for patients with severe mental deterioration including Alzheimer's disease, dementia, and senility, and claimed on certain days to have tested between 25 and 50 or more patients at skilled nursing facilities located more than 100 miles apart. He billed and was paid hundreds of thousands of dollars for these services. This illegal activity continued from January 1998 to January 2003, when the FBI conducted a search warrant at his office in Merced.

According to U.S. Attorney McGregor Scott, "The defrauding of the Medicare program is something the United States Department of Justice takes seriously and will prosecute. In these times of skyrocketing health care costs, it is important that health care providers who bill Medicare do so legitimately and for necessary medical services only, not to line their pockets at the expense of taxpayers."

The Court ordered SORTINI remanded into custody. Sentencing is scheduled for January 26, 2009.

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